

**TOWNSHIP OF HAMPTON**

**ORDINANCE NO. 868**

**AN ORDINANCE OF THE TOWNSHIP OF HAMPTON, COUNTY OF ALLEGHENY, PENNSYLVANIA, AMENDING CHAPTER 52, ARTICLE II OF THE CODE OF ORDINANCES OF TOWNSHIP OF HAMPTON TO ESTABLISH A HIRING AND PROMOTION PROCESS FOR POLICE OFFICERS.**

WHEREAS, the Township of Hampton employs a professional Police Department to respond to emergencies and enforce federal, state, and local laws; and

WHEREAS, Chapter 52, Article II of the *Code of Ordinances of the Township of Hampton* establishes the hiring procedure for police officers with the Township of Hampton Police Department; and

WHEREAS, due to current issues with recruitment and retention of part-time police officers, the Township wants to amend this section to allow for the direct hiring of full-time police; and

WHEREAS, the amended hiring process for police officers has been prepared by the Administration and Police Departments and reviewed by Legal Counsel.

NOW, THEREFORE, it is hereby ordained and enacted by the Township of Hampton that Chapter 52, Article II of the *Code of Ordinances of the Township of Hampton* is hereby amended as follows.

Section 1. A portion of Chapter 52, Section 6, "Definitions", shall be amended to read as follows:

**ELIGIBLE LIST**

The list of names of persons who have passed all examinations for full-time police officer with the Police Department as certified by Township Council.

**QUALIFIED CANDIDATE**

Any candidate for full-time police officer who appears in the top three of the eligible list as certified by Township Council.

Section 2. Chapter 52, Section 7, "Applications for examination for position of police officer.", shall be amended to read as follows:

Council may, at its discretion, administer examinations for the position of full-time police officer.

Section 3. Chapter 52, Section 8, "Qualifications for applicants for examination", shall be amended to read as follows:

- A. Application form. No person shall be admitted to an examination for a position of full-time police officer in the Police Department of the Township of Hampton until after he or she shall have filed on the official form prescribed by these regulations, a sworn application giving such information as may be required. The official application form, and all notations, references, and statements appearing in it are incorporated by reference into these rules and regulations, and shall be as much a part of these rules as if they were fully described herein.
- B. Availability. Application forms shall be available to all interested parties at the Police Department or online through the Township website.
- C. Age qualifications. Applicants for full-time and part-time police officer must be over 21 years of age. Each applicant shall present satisfactory evidence of his or her date of birth.
- D. General qualifications.
- (1) Each applicant for the position of full-time and part-time police officer shall present satisfactory evidence of:
    - (a) Graduation from an accredited high school;
    - (b) A license to operate a motor vehicle in Pennsylvania;
    - (c) Completion of the police academy training under the provisions of the Act of June 18, 1974 P.L. 359, No. 120, 53 P.S. § 740 et seq., successfully graduated from the same and be certified by the Municipal Police Officers Education and Training Commission (hereinafter referred to as "MPOETC") at the time of their appointment;
    - (d) All of the standards or requirements set out in statutes of the Commonwealth of Pennsylvania or regulations or other governmental regulatory bodies or agencies which apply to or establish minimum qualifications to be possessed by applicants for the positions of full-time and part-time police officer.
  - (2) Township Council may from time to time by motion, resolution or amendment to this article impose additional requirements, but the requirements set forth herein shall be continued in full force and effect, the same being minimum requirements.
  - (3) Finally, in the event of a conflict between standards set out in other statutes and regulations and the standards set out in this article, the more rigid standards shall apply.
- E. Recording applications. The Chief of Police or their designee shall review each application upon receipt thereof for the purpose of determining that such application contains no errors or omissions or that the applicant has been disqualified by reference to a preliminary background check related to the factors listed in Subsection H herein. Any application containing errors or omissions may be returned to the applicant for correction. The applicant shall have 48 hours from receipt of the application to return the corrected and completed application to the

Police Department. If there are no errors or omissions, or after all the errors or omissions have been corrected, or there are no reasons for disqualification as determined by the Chief of Police or their designees, the Chief of Police or their designees shall date, number and record in the order of receipt, all applications free of errors or omissions. An application, once recorded, shall not be returned to the applicant.

F. Penalty for false statement. The statements made by the applicant in the official application(s) shall contain no falsification, omission or concealment of material fact. Should investigation disclose any willful misstatement, falsification or concealment with respect to an application:

- (1) The application shall be invalid, and the applicant shall be disqualified from examination; or
- (2) If the applicant shall have been examined, the name of such applicant shall be removed from the eligible list; or
- (3) If the applicant shall have been appointed, such willful misstatement, falsification or concealment shall constitute grounds for dismissal from the Police Department.

G. Disqualification. In addition to the foregoing, the following list, which is not intended to be all inclusive, shall be applicable. It is not possible to enumerate all areas that will cause questions regarding the fitness of a candidate or will result in disqualification. Each case will be judged upon its own merit, to be determined on a case-by-case basis. Some background defects will raise immediate question regarding the candidate's ability to proceed, including but not limited to:

- (1) Arrest and/or conviction of any felony or misdemeanor.
- (2) History of any behavior or crimes involving moral turpitude, including but not limited to, crimes of violence or crimes which have a tendency to injuriously affect the administration of justice by the introduction of falsehood or fraud.
- (3) Any falsification, misrepresentation, or omission of material fact made during any portion of the application and hiring process.
- (4) One who is physically or mentally unfit to perform the full duties of the position applied for.
- (5) Any defects detected during an individual's background investigation resulting from a criminal history check, a credit check, driving history check, personal interviews and/or any other applicable means of determining eligibility.
- (6) Failure to meet the requirements for under the Municipal Police Officer Education Training Commission (MPOETC), or Title 37, Section 203, Subchapter B of the Pennsylvania Code.
- (7) Any actions or history of behavior that, if discovered, would likely bring discredit to the Hampton Township Police Department, or which would call into question one's suitability as an officer.

Section 4. Chapter 52, Section 9, “Announcement of examination for police officer.”, shall be retitled “Announcement of applications for police officer.”, and shall be amended as follows:

- A. Public notice. Public notice of acceptance of applications for full-time police officer shall be given by publication in a newspaper of general circulation in the Township of Hampton. The public notice shall be published at least 30 calendar days prior to the applications being due, and a copy of the notice shall be posted on the bulletin board in the Township of Hampton Municipal Building. Additional public notice by publication, posting, digital media, or otherwise may be given at any time at the discretion of the Manager.
- B. Notice of examination.
  - (1) The Chief of Police shall give written notice to each qualified applicant as follows:
    - (a) By mailing, electronic mailing, or otherwise delivering to each applicant who shall meet the prescribed qualifications for the duties of full-time police officer as set forth in § 52-8 herein notices which shall include the dates, times, locations, and duration of the physical agility and written examinations.
  - (2) Every such notice shall be mailed, electronically mailed, or otherwise delivered at least seven days prior to the date fixed for examination. Only applicants receiving notice to report for an examination shall be permitted to participate in the examination, and each applicant shall present their notice to the examiner before they shall be examined. In addition to presenting the notice to the examiner, the applicant shall present a driver’s license or other form of photographic identification. Failure to report for any examination in accordance with the instructions contained in the written notice shall disqualify the applicant.
- C. Additional requirements. All applications must be submitted in the manner described on the application form or in the notice of examination.

Section 5. Chapter 52, Section 11, “Preliminary, written and/or oral examinations.”, shall be retitled “Review of applications, written and oral examinations”, and shall be amended as follows:

- A. Examination for full-time police officer.
  - (1) The examination for the position of full-time police officer shall consist of the following parts, and shall be conducted in the following order:
    - (a) Review of applications and resume.
    - (b) Physical agility test.
    - (c) Written examination.
    - (d) Full background investigation: an investigation of the references, character and reputation of the applicant, made by the Chief of Police or their

designee, in accordance with the standards established by MPOETC for background investigations.

- (e) Oral examination.
- (2) The physical agility test shall be administered to MPOETC standards and given on a pass-fail basis. A passing score on the written examination shall be seventy percent (70%) or above.
- (3) The foregoing steps must be completed or passed (if such steps have standards for passing or failing) in sequence before proceeding to the next elimination steps, and no applicant shall take the next ensuing test unless they shall have successfully completed or passed the previous examination.
- (4) The written examination shall be constructed to test the candidate's ability to perform the duties of a police officer. The exact design of the examination may be altered from time to time, but will generally meet the criteria for an examination as acceptable to the PA Chiefs of Police Association.
- (5) Initial score. The initial score for applicants shall be established before the oral examination, and shall be based upon a review and scoring of the applicants resume and written examination. The review and scoring of the application and resume of the applicants shall take into account the applicant's years of service in law enforcement, training completed, and other specialized skills or experience that would be valuable to a member of the Police Department as determined by the Police Chief or their designee. The initial score shall be weighted with seventy percent (70%) towards the review of the application and resume and thirty percent (30%) towards the score on the written examination. The sum of the weighted score shall not exceed one hundred percent (100%).
- (6) The background investigation shall only be completed on those persons who achieve a score placing said individual in the top ten (10) of all candidate initial scores. If said background investigation disqualifies any candidate, then the next candidate in line, based on their initial score, shall move into the top ten (10).
- (7) The oral examination shall only be administered to those applicants who achieve an initial score placing them among the top ten (10) of all candidates' scores. In the event less than ten (10) candidates are tested, then that number of candidates shall be eligible for the oral examinations. Those persons failing to achieve a top ten initial score shall be notified that they will no longer be considered for the position of full-time police officer with the Township of Hampton.
- (8) The oral examination shall be administered by the Township Manager, Chief of Police, and the head (Superintendent or Chief) of another community's Police Department situated in the County of Allegheny who shall be chosen by the Township Manager and the Chief of Police. However, at the discretion of the Township Manager and Chief of Police, Sergeants within the Hampton

Township Police Department may be used in place of the Chief or Superintendent of another department. All applicants who shall successfully pass each of the parts of the examination for full-time police officer shall be notified in writing that said applicant's name has been placed on the eligible list of the Township, and of the applicant's standing on said list.

(9) Final score. The final score of the examination for police officer shall be determined after the completion of the oral examination. The final score shall be weighted as thirty-five percent (35%) of the initial score and sixty-five percent (65%) of the oral examination score. The final score shall be used to determine the eligible list for the position of full-time police officer. The sum of the weighted score shall not exceed one hundred percent (100%).

B. Penalty for improper conduct. Should any applicant be found guilty of any act tending to defeat the proper conduct or the result of any examination, his name shall be removed from any eligible list resulting from examination and the applicant shall not be permitted to make any future application for any employment position in the Township.

Section 5. Chapter 52, Section 12, "Eligible lists.", shall be amended as follows:

A. Preparation of eligible lists. As soon as possible, after completion of each examination for full-time police officers and establishment of the final scores, the Chief of Police shall prepare an eligible list on which shall appear the name of each applicant and their final score in the examination for full-time police officer. The names on the eligible list shall be arranged, from highest to lowest, in the order of the final score received by each applicant. The eligible list shall be filed in the office of the Police Department, and a copy posted on the bulletin board in the Township Municipal Building.

B. Breaking tie scores; full-time police officer. When two or more qualifying candidates receive an identical final score, the order in which the names of such persons shall appear on the eligible list shall be determined by their score on the oral examination. In the event that two or more qualifying applicants also received identical scores on the oral examination, the order of listing shall be determined by the earliest of the applicants' date of application.

E. Eligible lists. Following the review of the police officers' qualification and testing for the position of full-time police officer, the Chief of Police of the Township of Hampton shall submit the results of the scoring of such candidates to the Manager of the Township, showing the results of all of the applicants for police officer in the Township of Hampton.

Section 6. Chapter 52, Section 13, "Certification, appointment and promotion", shall be amended as follows, with § 52-13H being deleted:

A. Filling vacancies. When a vacancy is to be filled in the Police Department for a full-time police officer, the Chief of Police shall submit a written request to the

Council for certification of the eligible list. In making the request, the Chief of Police shall state the title of the position to be filled.

- C. Certification from eligible lists. If no furlough list exists or if the total number of vacancies cannot be filled from the available names on the furlough list, the Council shall certify the top three candidates from the eligible list. If there are less than three available on the eligible list, the Council may select from such lesser number of available eligibles, or may request another examination. The Chief of Police shall keep the eligible list current and may request the top three candidates from the eligible list to submit to a follow-up oral interview with the Chief of Police, or the Chief's designee, prior to submission of the eligible list to Council.
  
- G. Veterans preference. If no furlough lists exists for the position of full-time police officer, the top three candidates from the eligible list shall be asked if they want to exert veterans preference. Those candidates asserting veterans preference shall be asked to provide, within seven days, a Form DD-214, Certificate of Release or Discharge from Active Duty. Any of the top three candidates who are eligible for veterans preference pursuant to the Veterans Preference Act, 51 P.S. § 7101 et seq., and has submitted appropriate documentation shall be elected over a qualified nonveteran for the position of full-time police officer. This candidate shall still be subject to all medical, psychological and polygraph examinations as described in **52-15** hereunder, and may be disqualified from employment for failure to successfully complete these examinations. In the event of multiple candidates exerting veterans preference, the Township shall choose the candidate with the higher Final Score.

Section 7. Chapter 52, Section 14, "Appointment of full-time police officers.", shall be deleted and replaced with "Appointment of part-time police officers.", and this section shall read as follows:

- A. If an opening exists in the position of part-time police officers, the Township shall advertise for applications to be reviewed by the Chief of Police for this position. The advertisement shall appear on the Township website or other publication as determined by the Township Manager. Applicants for this position shall be reviewed by the Chief of Police and their designee, and shall meet the minimum qualifications established in § **52-8C** and § **52-8D**. Upon successful interview with the Chief of Police and their designee for the position of part-time police officer and completion of a background check, the Chief of Police shall make a recommendation for appointment to the position of part-time police officer to the Manager. Township Council shall certify this appointment at their next regular meeting.
  
- B. Certification and appointment of part-time police officers. Any person appointed, pursuant to the foregoing procedures, as a part-time police officer shall be entitled only to those benefits established and set out in Subsection **C** hereafter. Each such part-time police officer shall be employed for no more than 32 hours in any given week, shall be employed only while in attendance at various Township functions, special events and other occurrences which take full-time police officers from

regularly prescribed duties, and may be employed as substitutes for full-time police officers where there is a lack of available full-time police officer personnel because of vacations, holidays, court appearances and/or other activities, and as directed by the Chief of Police. Such part-time police officers shall sign an acknowledgement on a form prepared by the Township, wherein such police officers shall state that he or she understands that the appointment is as a part-time police officer and that such police officer shall not be entitled to or expect any benefits payable to full-time police officers, and that the officers are not employed under or covered by the provisions of the Police Tenure Act, 53 P.S. § 811 et seq.

C. Part-time police officers' benefits and compensation. Any candidate for the position of part-time police officer who may be appointed under the provisions set forth above shall be entitled to only such compensation, benefits and conditions of employment as are set forth herein and may be established by the Council, from time to time, by resolution adopted at a regular meeting of the Council.

(1) Vacations

(a) The length of a part-time police officer's vacation shall be determined by the length of service to the Township. The following chart is a general policy for all regular part-time officers with regard to vacation qualification:

<b>Length of Service</b>	<b>Vacation</b>
If at least 1 year + 1 day of service	3 days vacation
If at least 5 years + 1 day of service	5 days vacation
If at least 10 years + 1 day of service	10 days vacation

(b) The amount of remuneration to be paid for each day's vacation shall be calculated from the average number of hours worked per day over the prior six-month period. Therefore, if a part-time officer who averages four hours work per day for six months preceding his or her vacation, each vacation day would then be worth four hours multiplied by their hourly rate.

(2) Holidays. Part-time police officers shall be paid holidays by the Township. The following are recognized as holidays:

New Year's Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	Day after Christmas

(3) Sick leave. Each part-time police officer shall be eligible for two sick leave days per year. The payment of sick leave shall be calculated in the same manner as calculated for vacation and holidays.

(4) Part-time police officers shall not be eligible for any pension benefits under provisions of Act 600, or of any pension plan adopted heretofore or hereafter



by the Township of Hampton, unless such benefits shall be specifically conferred upon part-time police officers.

- (5) A part-time police officer may be removed by the Township at any time, and part-time officers shall serve at the pleasure of the Council.
- (6) All part-time police officers employed by the Township of Hampton, while in uniform and officially on duty, shall be and are hereby authorized and empowered to make arrests in accordance with the provisions of the Penal Code of the Commonwealth of Pennsylvania, as set out in Title 18 of Purdon's Statutes, and in accordance with the Criminal Procedure Rules of the Commonwealth of Pennsylvania (the Rules of Criminal Procedure), and such officers shall be authorized and empowered to enforce provisions of all the statutes and ordinances of the Commonwealth of Pennsylvania and the ordinances of the Township of Hampton, including motor vehicle offenses, and any and all the other enforcement statutes, unless such statute specifically requires special power of appointment.
- (7) Part-time police officers will be supplied with uniforms and such other equipment and gear as are presently afforded to full-time police officers of the Township of Hampton. Part-time police officers shall be required to complete all in-service training requirements as specified by the Municipal Police Officers Education and Training Commission or any additional training as required by the Chief of Police.
- (8) From time to time the Council of Hampton may, by resolution, adopt other regulations relating to the wages, may establish rates for court hearings before the minor judiciary, or in the Court of Common Pleas, and other benefits as the same may be adopted from time to time. The current pay scale established by Council at the time of adoption of this article shall not be affected hereby and part-time police officers shall continue to be paid a minimum of two hours' pay for court hearings before the minor judiciary, if such appearances occur during the off-duty hours of such officer, and a minimum of four hours' pay for appearances before the Court of Common Pleas, if such appearances occur during the off-duty hours of such officer, unless otherwise altered by action of the Council.

Section 8. Chapter 52, Section 15, "Medical requirements.", shall be retitled "Pre-employment testing", and shall be amended as follows:

- A. Any applicant who successfully passes all examinations and meets all other requirements for appointment, and who, as a result thereof, shall be conditionally selected as the successful candidate for probationary appointment to the Police Department at a regular meeting of the Council of the Township of Hampton, or a meeting held for these purposes, shall immediately be required to submit to a medical/physical and psychological examination as required herein to ensure the candidate can perform the job duties of the full-time police officer. In the event that the candidate fails to successfully meet the medical/physical and psychological

standards and examinations required, then the candidate shall be notified, and such candidate's name removed from the eligible list and the appointment shall be rescinded. In such case, an additional name or names shall then be certified to the Council from the eligible list by the Township, and the process shall be repeated until a candidate shall successfully meet all requirements.

(1) For the purposes of establishing the standards for medical/physical and psychological evaluations contemplated hereunder, the Township incorporates by reference, as though fully set forth at length herein, the MPOETC standards of evaluation for medical/physical and psychological examination now in effect and as may be amended from time to time, or their equivalents as deemed appropriate by Council. The candidate, by signing his or her application for appointment to the Police Department of the Township of Hampton, agrees to undergo the medical/physical and psychological examinations set forth herein, or as the same may be amended from time to time, and the candidate shall be expected to undergo such examinations in accordance with the provisions of this article.

C. Polygraph examination. Any applicant who successfully passes all examination and meets all other requirements for appointment, and who, as a result thereof, shall be conditionally selected as the successful candidate for probationary appointment to the Police Department at a regular meeting of the Council of the Township of Hampton, or a meeting held for these purposes, shall immediately be required to submit a polygraph examination by an examiner chosen by the Township. In the event that the candidate fails to successfully complete the polygraph examination, then the candidate shall be notified, and such candidate's name removed from the eligible list and the appointment shall be rescinded. Final determination on failure of a polygraph shall reside with the Township and its chosen examiner. In such case, an additional name or names shall then be certified to the Council from the eligible list by the Township, and the process shall be repeated until a candidate shall successfully meet all requirements.

Section 8. Chapter 52, Section 16, "Promotions", shall be amended as follows:

A. Promotions: examinations for Sergeant

(1) The examination for the position of Sergeant shall consist of the following parts:

(a) Essay of applicant's qualifications

(b) Performance rating: If the applicant has had, at any time, during his or her employment with the Township, any type of disciplinary action including, but not limited to, any written reprimand or suspension, the oral examiner scorer may deduct up to 3% of the oral examination score.

(c) Oral examination.

(2) Each part of the written examination, essay and the oral examination shall be graded on the scale of 100% and shall be weighted as follows:

(a) Essay of the applicant's qualifications: Applicant shall submit a limited essay of his or her qualifications (supervisory, goals, accomplishments,

additional training and community service) for a maximum of 30%. This shall be provided after completion of the oral examination.

(b) Oral examination: The oral examination shall be conducted in the same manner as that for appointment for position of police officer with the Township. The weighted score shall be 70%

(3) As a prerequisite of any promotion to the position of Sergeant, only current Township of Hampton police officer with at least five years of service as full-time police officers in the Township of Hampton will be eligible to take the aforesaid examination. This provision may be waived by Council by motion prior to the beginning of the Sergeant examination.

**ORDAINED AND ENACTED into law this 26<sup>th</sup> day of June 2024.**

ATTEST:

TOWNSHIP OF HAMPTON



\_\_\_\_\_  
Municipal Manager

By:   
\_\_\_\_\_  
President of Council